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Sent Via Electronic Mail

Clare Laufenberg Gallardo
Energy Division
California Public Utilities Commission
clausenb@energy.state.ca.us

Re: Impacts of Tehachapi Transmission Project in RETI Phase 1 Report

Dear Ms. Gallardo:

We submit these comments on behalf of the Watershed Conservation Authority ("WCA"), a joint powers authority of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy ("RMC") and the Los Angeles County Flood Control District. The WCA undertakes projects to preserve urban open space and habitats in order to provide for low-impact recreation and educational uses, wildlife and habitat restoration and protection, and watershed improvements. WCA projects are chosen by the RMC board. The common mission of the WCA and RMC is to provide open space, restore habitat, and improve water quality in the watersheds of the San Gabriel River and the Lower Los Angeles River. The RMC was established as an independent State agency within the Resources Agency of the State of California in 1999. Its jurisdiction includes the San Gabriel River and its tributaries, the lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills.

The WCA is concerned about the environmental impacts of the Tehachapi transmission project. The proposed transmission project transects a significant portion of RMC's territory, and will impact the WCA's efforts in achieving its mission of providing parks, open space and trails for community use. We are concerned that the Renewable Energy Transmission Initiative Phase 1B Draft Report ("RETI report") does not adequately apprise the public and potential decision-makers of these impacts.

A. Regional, County, and Local Plans

The RETI report should not rely exclusively on state and federal land use designations in determining the environmental importance or sensitivity of lands impacted by the projects studied. These projects will also impact public lands designated by regional, county, and city land use plans, which are readily available for review and incorporation into this report, and present important environmental information necessary to understand the relative environmental impacts of the various wind projects. For example, the San Gabriel River Corridor Master Plan is a project of the County of Los Angeles Board of Supervisors, through the Department of Public Works, that provides for flood protection, water supply, habitat, recreation, open space,

and economic development.¹ One feature of the San Gabriel River Corridor Master Plan is the Emerald Necklace, a 17 mile loop of parks and greenways along the Río Hondo and San Gabriel Rivers.² The proposed Tehachapi Transmission project would significantly impact this plan, and may make the Emerald Necklace altogether infeasible. For example, the Duck Farm Project was developed within the framework of the San Gabriel River Corridor Master Plan, and the Emerald Necklace vision. However, the proposed Tehachapi Renewable Transmission project would have a substantial adverse impact on the Duck Farm project. By proposing to relocate or enlarge some or all of the transmission towers within the Duck Farm, the transmission project significantly interferes with the implementation of the approved Duck Farm project, potentially disrupting an integral link to the Emerald Necklace vision. While it is clear that this RETI report cannot take into account every individual impact of each potential renewable energy project, the report nevertheless should consider whether these projects would promote or interfere with the implementation of readily available, existing land use plans designed to preserve and enhance biological, recreational, and open space values, such as the San Gabriel River Corridor Master Plan. The report should not focus only on lands owned by the state or federal government, to the exclusion of other public lands, because the ownership of the land bears no relation to the significance of the impacts of the potential energy development.

B. Wildlife Corridors

Sections 7, 8A, and 11 of the proposed Tehachapi transmission project appear to propose construction through significant stretches of wildlife corridors.³ The proposed Tehachapi transmission project would not merely cross these corridors, but instead could disrupt their entire length. In addition, the Department of Fish and Game (“DFG”) map relied upon by the RETI report ranks one of these corridors as high priority, one as medium priority, and one as low.⁴ The RETI does not appear to take these factors into account. The RETI simply reports overall meters of intersection that various wind projects would have with wildlife corridors. However, all impacts to wildlife corridors are not the same. Disruption of the entire length of a wildlife corridor results in a cumulatively greater impact than the mere sum of meters. For example, a mile long impact to a mile long corridor is arguably more significant than intermittent impacts totaling one mile, to a corridor five miles long. The RETI should distinguish whether all or merely part of a corridor would be impacted, and should also incorporate the priority rankings provided by the DFG’s “Linkage Priorities in California” map.

C. Future Reliance on this Report

The RETI report states that:

¹ Available at <http://ladpw.org/wmd/watershed/sg/mp/mp.cfm>

² See <http://www.amigosdelosrios.org/necklace.htm>

³ Compare, Tehachapi Renewable Transmission Project, Notice of Preparation, figure 1 (Exhibit 1 hereto) to RETI Phase 1B – Environmental Assessment of CREZ, A-2, citing http://www.calwild.org/resources/pubs/linkages/linkage_priorities_ca.jpg

⁴ http://www.calwild.org/resources/pubs/linkages/linkage_priorities_ca.jpg

The assessment performed by the EWG of potential environmental concerns associated with energy development in CREZs is intended to provide guidance to RETI on the relative merits of development in these areas for the purpose of designing conceptual and specific transmission plans, and is *not* intended for use in evaluating the merits of individual projects.

This is a virtual non-sequitur. The “the relative merits of development in these areas” necessarily include the “merits of individual projects.” Stating that the report will only be used for conceptual planning does not change the strong message that the report sends regarding the relative costs and benefits of each project. Indeed, there is nothing to stop future individual decision-makers from relying in part on this report in their overall determination of the merits of a project. (See, e.g. *Desmond v. County of Contra Costa* (1993) 21 Cal.App.4th 330 [agency decision must be based on evidence of ponderable legal significance, reasonable in nature, credible and of solid value, and relevant evidence that a reasonable mind might accept as adequate to support the conclusion.]) The assessment claims that “[t]he EWG did not consider specific issues related to any individual project which may be proposed to be developed in the CREZs or elsewhere,” but this appears simply untrue, as the report expressly considered eight distinct environmental criteria for each project, including impacts to habitat, sensitive species, and wildlife connectivity. Because this report will inevitably be used in the decision-making process for individual projects, the report should delve further into the various environmental impacts of each project, to provide a clearer picture of the relative costs and benefits of each project. At a minimum, the report should factor in readily available local land use plans, cumulative project impacts, and DFG priority rankings for wildlife corridors.

Thank you for your consideration of these concerns.

Sincerely,

/s/ Jason Flanders
On behalf of the WCA

Exhibit 1

Figure 1:
Tehachapi Renewable Transmission Project

